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DOCKET NO: 249240US28

OFFICE OF PETITIONS



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

SOMNATH MUKHERJEE, ET AL.

SERIAL NO: 10/010,615

FILED: NOVEMBER 8, 2001

FOR: LOSSY LINEARIZERS FOR
ANALOG OPTICAL TRANSMITTERS

:

: EXAMINER:

:

: GROUP ART UNIT: 2133

:

PETITION TO REVIVE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Notice of Abandonment dated December 10, 2003, Applicants, through counsel of record, respectfully petition to revive this application under 37 C.F.R. § 1.137(b). Applicants submit that the entire delay in filing the required reply from the due date for the reply was unintentional. Attached herewith are corrected figures as requested in the Notice to File Corrected Application Papers mailed on January 10, 2002. Also filed herewith is a terminal disclaimer as required by 37 C.F.R. § 1.137(d). Also filed herewith is a Revocation and New Appointment of Power of Attorney.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

James J. Kulbaski
Attorney of Record
Registration No. 34,648
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Registration No. 52,041

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22850

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(OSMMN 08/03)

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OFFICE OF PETITIONS

Docket No.: 249240US28

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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(703) 413-3000
MMONACO@OBLON.COM

RE: Application Serial No.: 10/010,615

Applicants: Somnath MUKHERJEE, et al.

Filing Date: November 8, 2001

For: LOSSY LINEARIZERS FOR ANALOG OPTICAL
TRANSMITTERS

Group Art Unit: 2133

Examiner:

SIR:

Attached hereto for filing are the following papers:

PETITION TO REVIVE

NOTICE OF ABANDONMENT DATED DECEMBER 10, 2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

**LETTER SUBMITTING REPLACEMENT DRAWING SHEETS; DRAWING REPLACEMENT
13 SHEETS; TERMINAL DISCLAIMER; REVOCATION AND NEW APPOINTMENT
TO POWER OF ATTORNEY (COPY)**

Our check in the amount of \$1,440.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/010,615	11/08/2001	Somnath Mukherjee	5457-010PA

CONFIRMATION NO. 6611

John F. Schipper, Esq.
 Suite 808
 111 N. Market Street
 San Jose, CA 95113

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OFFICE OF PETITIONS

ABANDONMENT/TERMINATION
LETTER

OC000000011452086

Date Mailed: 12/10/2003



NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/10/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

M. Young
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Received at: 12:08PM, 2/26/2004

02/26/04 01:15

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/010,615	11/08/2001	Somnath Mukherjee	5457-010PA

CONFIRMATION NO. 6611

FORMALITIES LETTER



OC000000007284089

John F. Schipper, Esq.
Suite 808
111 N. Market Street
San Jose, CA 95113

Date Mailed: 01/10/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE